

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, JULY 21, 2003
Immediately Following Director's Meeting
CONFERENCE ROOM 113**

I. MINUTES

- *1. Minutes of "Noon" Council Members' Meeting for July 7, 2003.
- *2. Pre-Council Meeting Minutes - RE: Hometown Security Report - July 7, 2003.
- 3. Pre-Council Meeting Minutes - RE: Power-Point Budget Presentation - July 7, 2003.
- 4. Minutes of Director's Meeting for July 14, 2003.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

- *1. Public Building Commission Meeting (Camp/Cook)
- *2. ISPC Meeting (Camp)
- *3. Board of Health Meeting (Svoboda) - **CANCELLED**
- 4. Parks & Recreation Advisory Board - TOUR (Cook)
- 5. Homeless Coalition Meeting (Newman)
- 6. Citizen's Meeting (Newman)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - NONE

IV. REQUESTS OF COUNCIL FROM MAYOR - NONE

V. MEETINGS/INVITATIONS

- 1. Invitation from Rembolt, Ludtke & Berger LLP, Attorneys at Law - Please join us on Thursday, July 24, 2003, For a private guided Tour of "Big Canvas" at The Sheldon Memorial Art Gallery - Reception at 5:00 p.m., Van Brunt Visitors Center, 313 N. 13th Street – Guided Tour at 6:00 p.m., Sheldon Memorial Art Gallery, 12th & "R" Streets - Please RSVP - Mail or Fax to Rembolt Ludtke & Berger LLP or E-Mail. (See Invitation)

2. The Lincoln Chamber of Commerce invites you to attend the following Ribbon Cutting: - Please RSVP to Tera Pugh at 436-2355 or E-Mail:
A.) Annette CsernaDDS PC, 6100 Village Drive, Suite 102 on
Wednesday, August 19, 2003 at 4:00 p.m.
3. Community Services Fund and its member agencies invite you to experience . . . Zoo-Fari – they would like to invite you and your family to join them for an evening of fun and adventure on Tuesday, August 5, 2003 from 5:30 p.m. to 7:30 p.m. (Rain or Shine) at the Folsom Children’s Zoo & Botanical Gardens, 27th & “B” Streets - Cost is FREE! – RSVP by July 22nd. (See Invitation)
4. E-Mail Invitation - An open invitation to all members of the Lincoln City Council to come have some ice cream and meet the hard working people and retirees of Goodyear. The rally is scheduled this Saturday, July 19th from 2:00 p.m. until 4:00 p.m. at The United Steelworkers Local 286, 5724 Seward Avenue. (See E-Mail Invitation)

VI. MISCELLANEOUS

1. Discussion regarding Veterans’ Day holiday on Tuesday, November 11th on whether Council is going to be meeting on that Monday. [City Clerk Joan Ross needs to know, so she can schedule things]
2. Discussion - The next joint meeting of the LPS Board/City/County is scheduled for Monday, August 4th at 7:30 a.m. in Conference Room 113. **Please forward agenda items to Cori Beattie by Friday, July 25th.** (See E-Mail)

VII. CITY COUNCIL MEMBERS

VIII. ADJOURNMENT

***HELD OVER FROM JULY 14, 2003.**

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, JULY 21, 2003
CONFERENCE ROOM 113

Council Members Present: Jon Camp, Chair - (arrived shortly after meeting began); Terry Werner, Vice-Chair; Jonathan Cook, Glenn Friendt, Annette McRoy, Patte Newman, Ken Svoboda;
ABSENT: None

Others Present: Mark Bowen, Corri Kielty, Mayor's Office; Dana Roper, City Attorney; Allan Abbott, Director of Public Works/Utilities; Don Herz, Finance Director; Joan Ray, Council Secretary; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda

I. MINUTES

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Vice-Chair Terry Werner, while waiting for the arrival of Chair Camp, requested a motion to approve the above-listed minutes. Jonathan Cook moved approval of the minutes, as presented. The motion was seconded by Ken Svoboda and the minutes were approved as presented by unanimous consensus of the Council members present.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES -

- *1. PUBLIC BUILDING COMMISSION (Camp/Cook) - Mr. Cook reported that the main point of discussion had been the security around the County/City Building, which included gates and proposed locations for those gates. There were a number of different plans proposed. One was to gate the garage under this building only; another was to put three or four gates around this building so that one couldn't drive along the west side without encountering a gate; a third plan had a gate at every entrance and every exit so that a really stupid terrorist would not be able to get in. The Sheriff proposed a ban of parking along "K" Street.

Mr. Cook indicated that the PBC had moved to accept the plan which proposed just the gate under the County/City Building to block the parking garage entrance. Parking would be allowed on "K" Street; there would be a hole cut in the wall of the parking garage to the south of the entrance - this would be to allow people in. (Somebody forgot that people actually walk through the parking garage when they designed this building. Everyone is walking at the same time that cars are going in and out, so we need a way that people can walk into the underground garage without walking in the area where the cars are going. With the hole, the people can walk along the sidewalk that goes on the south side of the garage).

Two other elements to the motion included Bob Workman's amendment that a sign be posted that tells people that they need a card to get into the parking area. The fifth thing was to move the payment box somewhere else. Jon had suggested the post office, which was a brilliant suggestion, so we'll see if it's possible to place the drop-box there somewhere near the postal boxes, clearly labeled so people won't mail their letters in our box.

Staff asked if this suggestion had taken into consideration the fact the Violations Department personnel came out daily to pick up the materials placed in the drop-box and asked if moving the drop-box to the post office might not pose a logistics problem. The PBC members indicated that Mr. Don Herz, Finance Director, had been at the meeting and had offered a remedy for that concern.

Ms. McRoy asked if they had discussed moving the vending machines back to the 1st floor. Mr. Cook stated that the issue had been discussed and the contract with the Solid Ground was mentioned as the determining factor in the placement of the machines on the 2nd Floor.

Mr. Camp, who had arrived at the meeting by this point, reported that they had voted on the photo display. The vote had been 4-1 (Cook dissenting) to have an RFP for someone to take pictures of all Council and County Board members and the Mayor for display in the lobby area of this building. It was noted that the County Board had decided to go their own way, after all, and ignore what had been decided at the PBC meeting.

Mr. Cook noted that he knew what this Council had decided *[to continue to with the current practice of having CIC take the "for posterity" council photos]*, and wasn't sure how this would all work out - so that is why he had voted against the motion. He felt they had spent *way* too much time on trying to appropriately place these pictures. Mr. Camp added that it had been proposed to name the picture gallery the Linda Wilson Hall of Fame, but Ms. Wilson had declined the honor. [Laughter]

[Revised Text per 07-28-03 "Noon" Meeting amendment] There was an open house on the 2002 Master Plan for the Health Department which Mr. Cook had attended. There had also been a parking update with special attention given specifically to handicapped parking concerns.

Mr. Cook added that 5-City TV's overheating concerns (which, interestingly enough, occurred during the winter months as well as during the summer heat) had been discussed. During the winter months, they are going to try to bring cold air in from the outside to cool the equipment. We'll see if that works - hopefully, the hole won't cost too much. Mr. Cook observed (with just a hint of wry), that perhaps an open window might be sufficient.

Mr. Camp stated that the Holocaust Memorial Art had been discussed. No one knows how it got into the lobby area, or who placed it there. The PBC's Art Committee is supposed to be in charge of those things. The Committee knew nothing about its placement there behind the Kiosk. The piece has been moved back into storage until a more appropriate and visible location can be found for its display.

*2. ISPC (Camp) Mr. Camp reported that he had just received the notes from that meeting, but Mr. Podany had attended. He asked Mr. Podany if anything of import had occurred. Mr. Podany responded that they had just talked about various change-overs that are occurring in different departments.

*3. BOARD OF HEALTH (Svoboda) - CANCELLED

4. PARKS & RECREATION ADVISORY BOARD - TOUR (Cook) Mr. Cook reported that there had been a tour and asked why none of the Council Members had attended. Council indicated that they had not received an invitation. Mr. Cook stated that someday, Parks will remember to invite Council Members. Mr. Cook noted that it had been on his agenda and wondered if it had come through the Council Office. Staff indicated that it had probably been addressed only to Mr. Cook. He asked that if it comes through in the future, to please place it on everyone's agenda. [Staff agreed to do so]

Mr. Cook gave a brief account of the tour, which had been a joint venture of the P&RAB and the YMCA Board. The tour started at the "F" Street Rec Center and then had gone on to the Cooper YMCA - which is a very impressive facility. The YMCA Board lamented that they had not done more at the facility. Mr. Cook stated that Jim Able would like a Cooper-type YMCA at Fall Brook, though they can't afford it now.

There had been a lot of discussion about joint programs through the YMCA and the Parks Department and finding ways to jointly use facilities and trails and so on. The discussion was a positive thing, but there are some legal issues on public/private ventures. Some cooperation, however, is desirable.

5. HOMELESS COALITION (Newman) Ms. Newman reported that the Matt Talbot organization is starting their Vision Improvement Project this week, for kids under 18 years who do not have health insurance. They're starting their Life Skills Classes. It was an interesting meeting because there was a consumer of the services there to talk about his experience of homelessness. He explained a little bit about how the system is broken. He volunteered to take anyone out who would want to experience first-hand the life of the homeless and sleeping under bridges. She noted that if anyone wanted to volunteer to accept that offer, she would give them the name.

6. CITIZEN'S MEETING (Newman) Ms. Newman reported that there had been 19-20 people in attendance to hear Steve Hubka talk about the budget. Mr. Kent Morgan had also attended to lead the discussion on the new finance piece for infrastructure financing. She noted that the two biggest issues that people brought up were Sidewalks and School Resource Officers.

OTHER MEETINGS - Mr. Werner reported that the Multi Modal group has set some times for meetings. Both of the times were in conflict with Mr. Werner's schedule. There is a consultant and those meetings will be getting underway as the study gets underway.

Mr. Werner also reported that he had an AED Meeting coming up this week. (The Automatic Exterior Defibrillator). This program has received grant monies in the sum of approximately \$40,000 to proceed with the project.

Mr. Svoboda reported on the Cedar Falls Trip which was a tour of an industrial tract started with a 40 acre site donated to the City of Cedar Falls, IA. for their utilities expansion. When they recognized that infrastructure wasn't necessary to expand their utilities, they turned it into an Industrial Tract. One manufacturer built on it. Recognizing the success and using T.I.F. monies, they've expanded now to over 550 acres over the last 30+ years. In the 10 year time between 1990

and 2000, they expanded from 27 companies to 111 companies. It is a City-owned Industrial Tract. They do not allow a company in until all of the infrastructure is in place.

There had been some tract areas where there are roads, live fiber, all of the utilities, street trees, everything that one could imagine and no buildings yet. It is moving rather quickly. There is a two week process between the request for a permit and the issuance of a permit. Of course, we must recognize that this is a city of 36,000 people whose economic development and planning department probably consist of the two people with whom we met. It could be simple for them.

They have options on an additional 100 acres (in addition to the 550 acres currently in the tract). They have just acquired, within the last few years, a Target Distribution Center that has 1.3 million square feet under one roof; the facility houses 900 employees - all because they had the fiber there and everything in place in the industrial tract. Granted, this is successful there because there was no private development wanting to expand into the area. This is a sister-city to Waterloo, Iowa. Naturally, in Lincoln with the politics, and with land values being the way they are, it would have to be a public/private partnership in order to establish something like this here.

Mr. Svoboda explained that this trip was put together by Jim Haga and Jim Fram. Discussion continued among the Council Members on the details, merits and possibilities of such a program for the Lincoln community. It was noted that at this point the facility was turning more to a corporate park with a 20-25 acre lake with corporate offices surrounding it. A motel chain is now wanting to move in because of this corporate expansion; and all of this expansion is being T.I.F. generated. Mr. Svoboda responded to a question from Council Members that Iowa had some very, very liberal T.I.F. requirements. Mr. Herz stated that in Nebraska, for T.I.F. funding, a finding of blighted and/or sub-standard is required to receive those funds.

Mr. Svoboda stated that the tax increment comes from the property being deeded back to the companies after a certain period of time after the T.I.F. runs out. The initial investment was made from a bond that was voted upon by the citizens.

Mr. Bowen commented that the permitting process was stream-lined due to the fact that if anybody asked for a waiver, the application was dismissed. Mr. Svoboda agreed that the permit is pretty much predicated on the agreement of the developer to adhere to the City's standards. If waivers are requested, usually 9 out of 10 waiver requests were denied. However, they very smartly put it together so that options for adjoining pieces of land were available - which allows a company to plan for expansion.

Mr. Svoboda felt that given the differences between land costs and other variables, it was still worth the trip to investigate this fast track process. He felt there were things that could be worked out of the program for our area. For example, one of the things Mr. Svoboda would be working on with Mr. Haga would be the legal options of the Airport Authority. Here we have land already off the tax rolls - why not be able to do something in an area like that. He added that he knew the local developers would scream saying "competition against the private sector", but there are ways that this could be worked out. He didn't know if the Airport Authority legally has the option to sell any of the land, but it would be worth investigating. The only thing missing out there is the "hot" fiber. Mr. Friendt noted that LES is ready to do that.

Mr. Svoboda felt it had been a worthwhile trip. He noted that, at least, the seed had been planted. We need to be looking and the Chamber would like to somehow recognize what the County is wanting in their 500 acre site for expansion - at land that is close to the interstate. This trip had revealed that rail traffic is nothing anymore and a site located close to the interstate is much valued. It was noted that the land would be adjacent to the City which would offer annexation possibilities in the near future.

Mr. Friendt noted that to be competitive in a global market, Lincoln and Nebraska will have to be competing with areas that are investing in this kind of program. Mr. Svoboda added, in closing, that it was interesting - on a small scale.

III. APPOINTMENTS/REAPPOINTMENTS - None

IV. REQUESTS OF COUNCIL FROM MAYOR - Mr. Bowen reported that they had a variety of things to discuss. He offered a hand-out on the sales tax numbers that had not been addressed at the Directors' Meeting. Mr. Herz explained the higher amount of refunds that would be forthcoming. Mr. Herz handed out the July Sales Tax information that had been put together too late for the Council Members' packets. He reviewed that material for Council.

Council Members inquired as to whether or not this information was reflected in the current budget figures. Mr. Herz indicated that it was.

Council requested information that would show how the addition of large retail outlets to the City (such as SouthPointe) have affected the sales tax revenues that the City takes in. How much has it helped the City and can we use that information as a base to plan for future economic development? Mr. Herz explained that they did not have access to that information, but they could see if there had been any trends or spikes in revenues in the time since those developments had opened.

Mr. Cook noted that the problem with trying to use the data as a predictive tool is that demand makes the difference. If we had been under-served in an area and we open a new shopping center, there would be spikes in the sales tax base. However, if we open another center down the road, that may not have such an impact because it is excess capacity for the market. Mr. Camp thought the information could be useful in tracking trends and would offer an overall view of Lincoln as a regional market [to help us devise the best strategies for business opportunities] rather than losing business to larger markets such as Omaha and Kansas City where there are numerous retail facilities available for the public. Five or six years ago, that had been a concern - Lincoln didn't have the national stores to compete in the regional market.

Mr. Bowen continued, noting that Mr. Allan Abbott was in attendance today to review the schedule for the introduction of the Finance Package. The proposed schedule at this time is:

There are four points (actually five) Finance Package includes

The Wheel Tax

The Occupation Tax on Fuel - Gasoline

The 100+ Million Dollar Bond Issue

and the Utility Rate Increases (Water *and* Wastewater Rate Increases)

July 28th will be the introduction date for those five items; August 4th will be the beginning of the public hearing on the four financial package items.

Council continued discussion for an extended period of time on the process for and on the conducting of the public hearing on the budget and on the infrastructure. The "Noon" meeting was reconvened in the Council Chamber to allow the County Board to meet in Room 113 to continue the appraisal appeals process.

The cost of the special election and the funds to cover that expense were also discussed briefly. Some of the money is included in the budget and some avenues for raising more are being considered. One such avenue would be through the Friends Committee, which may raise some of the money towards a special election. If they do not, the City would have to cover the entire costs - \$100,000.00.

Mr. Bowen added that one thing that has to be put into the GO Bond Resolution is the actual date of the election. Right now November 4th has been designated as the actual date of the special election. If anyone disagrees with that, we really need to know that before it goes into Council Packets on Thursday. Mr. Camp noted that he would prefer not to have a special election because of the cost. Mr. Cook disagreed with the entire schedule and thought it was way too early to be going forward with this. This is the biggest tax increase in the history of Lincoln. The State requires extra advertising for a tiny increase in the phone bill - this is huge! Most people have little knowledge of what is included in this budget. To expect Council to act on August 18th is too soon. It is too soon to have the public hearings. We need more informational output to the public if we want this to have any chance to succeed.

It was at this point, that the meeting moved to the Chambers where the infrastructure time-lines discussion continued. Mr. Werner asked what would happen if the bond issue did not pass. Any piece missing from this financial package, according to the Infrastructure Finance Committee, would derail the entire package. Mr. Camp noted that Staff has indicated that for any piece that does not come forward, adjustments would have to be made.

This discussion continued, with Mr. Abbott explaining to Council that as the dollars go away, for whatever reason, we would have to decide what we would do below the 'budget cut-off' line on the C.I.P. program expenditures chart. He noted that the big fear is that the first two years are engineering....if we don't get the engineering done, we're in a real world of hurt the third and fourth years. So, whatever the package is, we have to find a way to fund the engineering for those future projects. There are so many variables, there will have to be adjustments made. He noted that to go forward with only a portion of this package, would put a great strain on the next C.I.P. Mr. Bowen noted that taking the package in pieces would cause problems as growth and development progressed.

Mr. Friendt stated that he felt this debate had been going on for a year and a half now starting with the impact fee discussion. He looked at what it had entailed to take that one piece at a time and discuss it, versus moving forward with a package; and he felt it made much more sense to move forward with a package. While it may be a sizable increase, it is not that complicated. He felt that [the hesitation to move forward] is more of an internal fear about this than trying to comprehend what it all means. He thought there was a real danger that, if we're serious about doing this and solving this infrastructure gap and putting this community in a position to move forward, we run a higher risk of that all falling apart the longer we take. He felt there was some momentum coming out of the impact fee discussion and debate that led to the Mayor's Infrastructure Task Force and what they've been doing. His experience in communications and marketing would indicate that November 4th would be about the right time for this election. If we drag this on, it's going to get messy and we're going to be right back to square one.

Mr. Cook stated that it might be nice to consider this as a package, but the reality is that, depending on the voters, the court's decision on impact fees and other issues out of our control, we can't look at it as a whole. He felt acting before November, when the voters would decide what to do on the GO Bond issue, plus all these other variables, made him very

uncomfortable. That could scuttle the bond issue. Having that debate along with the bond issue debate, up until the election and letting people know that this is all together as a package if they vote on the bond issue - works better. It's being much more honest with folks rather than trying to do things like this by rushing ahead quickly before most people know what we're doing.

Mr. Friendt thought that view was a cop-out....with Council "waiting to see what the voters say" before we take action. The fact is, we should be moving forward on water and wastewater anyway - as a normal course of business. We should not allow ten years to go by and then play a catch-up game. He noted that when he ran for City Council, the former members he had talked with all said they wished they had made strategic decisions when they were there instead of pushing it off to the next Council and the next Council and the next Mayor. He agreed with what the Mayor said in her speech. This is an historic moment for this community and he thought the Council should grasp it.

Mr. Svoboda agreed with Mr. Friendt, noting that the Council has to take the leadership position in this because we recognize that this has got to be done. Whether we all agree with it or not will be determined by our vote.

Discussion continued. It was noted that they did need to have a date for the advertising, so they will use the November 4th date. If Council later determines that they wish to change that, it would be possible.

After this comment, discussion went back to the process to be implemented in the conducting of the public hearings on the budget and infrastructure.

V. MEETINGS/INVITATIONS - Noted Without Significant Comment

VI. MISCELLANEOUS -

1. Discussion regarding Veterans' Day holiday on Tuesday, November 11th and whether Council is going to be meeting on that Monday. [City Clerk Joan Ross needs to know, so she can schedule things] *It was determined by the majority of the Council Members to not hold a meeting on November 10th in honor of the Veterans' Day Holiday Observation of November 11th.*
2. Discussion - The next joint meeting of the LPS Board/City/County is scheduled for Monday, August 4th at 7:30 a.m. in Conference Room 113. **Please forward agenda items to Cori Beattie by Friday, July 25th.** (See E-Mail) *Council Members indicated that at this time they did not have any agenda items for the Joint Meeting.*

VII. COUNCIL MEMBERS -

JON CAMP - No Further Comments

JONATHAN COOK - No Further Comments

GLENN FRIENDT - No Further Comments

ANNETTE McROY - No Further Comments

PATTE NEWMAN - No Further Comments

KEN SVOBODA - No Further Comments

TERRY WERNER - No Further Comments

MARK BOWEN - No Further Comments

CORRI KIELTY - No Further Comments

DANA ROPER - No Further Comments

VIII. MEETING ADJOURNED - Approximately 1:20 p.m.

cm072103/jvr